



PATENT

Case Docket No. ENDIUS.5CP1C9

Date: March 5, 2004

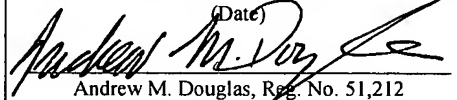
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Thomas W. Davison et al.
Appl. No. : 10/713,820
Filed : November 14, 2003
For : CANNULA FOR RECEIVING
SURGICAL INSTRUMENTS
Examiner : Unknown
Group Art Unit : 3732

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

March 5, 2004

(Date)


Andrew M. Douglas, Reg. No. 51,212

TRANSMITTAL LETTER


Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) A Supplemental Information Disclosure Statement;
- (X) A PTO Form 1449 listing twenty seven (27) references, twelve (12) enclosed;
- (X) Return prepaid postcard.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410


Andrew M. Douglas
Registration No. 51,212
Attorney of Record
Customer No. 20,995
(949) 760-0404



SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicant : Thomas W. Davison, et al.
App. No. : 10/713,820
Filed : November 14, 2003
For : CANNULA FOR RECEIVING SURGICAL
INSTRUMENTS
Examiner : Unknown
Group Art Unit : 3732

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing twenty seven (27) references, some of which are also enclosed. Applicants make no admission that the references submitted in this or any other Information Disclosure Statement in this application are prior art. In particular, Applicants make no admission that the references that have an effective date between the filing date of the parent application (January 30, 2001) and the filing date of the prior application (August 20, 1998) are prior art. Applicants believe that most, if not all, of the pending claims are supported by the disclosure of the prior application and are entitled to the benefit of the filing date thereof.

This Supplemental Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 5, 2004

By: Andrew M. Douglas
Andrew M. Douglas
Registration No. 51,212
Attorney of Record
Customer No. 20,995
(949) 760-0404

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. ENDIUS.5CP1C9	APPLICATION NO. 10/713,820
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)		APPLICANT Thomas W. Davison et al.	
		FILING DATE November 14, 2003	GROUP 3732

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	1	4,573,448	3/86	Kambin	128	1	
	2	5,395,317	3/95	Kambin	604	51	
	3	6,175,758	1/91	Kambin	600	426	
	4	6,361,488	3/02	Davison et al.	600	102	
	5	2003/0040656 A1	2/03	Pagliuca et al.	600	102	
	6	6,530,880	3/03	Pagliuca	600	102	
	7	6,530,926	3/03	Davison	606	61	
	8	2003/0073998 A1	4/03	Pagliuca et al.	606	61	
	9	2003/0153911 A1	8/03	Shluzas	606	61	
	10	2003/0153927 A1	8/03	DiPoto et al.	606	108	
	11	2003/0167058 A1	9/03	Shluzas	606	61	
	12	6,648,888 B1	11/03	Shluzas	606	61	
	13	6,652,553	11/03	Davison et al.	606	190	
	14	2003/0236529 A1	12/03	Shluzas et al.	606	105	

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)
	15 Co-pending U.S. Application No. 10/440,231, filed 5/16/03, titled Cannula for receiving surgical instruments, and assigned to the assignee of this application.
	16 Co-pending U.S. Application No. 10/441,319, filed 5/16/03, titled Cannula for receiving surgical instruments, and assigned to the assignee of this application.
	17 Co-pending U.S. Application No. 10/440,002, filed 5/16/03, titled Cannula for receiving surgical instruments, and assigned to the assignee of this application.
	18 Co-pending U.S. Application No. 10/440,278, filed 5/16/03, titled Cannula for receiving surgical instruments, and assigned to the assignee of this application.
	19 Co-pending U.S. Application No. 10/439,979, filed 5/16/03, titled Cannula for receiving surgical instruments, and assigned to the assignee of this application.
	20 Co-pending U.S. Application No. 10/439,385, filed 5/16/03, titled Cannula for receiving surgical instruments, and assigned to the assignee of this application.
	21 Co-pending U.S. Application No. 10/435,730, filed 5/9/03, titled Method for performing a surgical procedure and a cannula for use in performing the surgical procedure, and assigned to the assignee of this application.

EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. ENDIUS.5CP1C9	APPLICATION NO. 10/713,820
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICANT Thomas W. Davison et al.	
(USE SEVERAL SHEETS IF NECESSARY)		FILING DATE November 14, 2003	GROUP 3732

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	
	22	Co-pending U.S. Application No. 10/686,063, filed 10/15/03, titled Cannula for receiving surgical instruments, and assigned to the assignee of this application.
	23	Co-pending U.S. Application No. 10/686,154, filed 10/15/03, titled Method of securing vertebrae, and assigned to the assignee of this application.
	24	Co-pending U.S. Application No. 10/678,744, filed 10/02/03, titled Minimally invasive access device and method, and assigned to the assignee of this application.
	25	Co-pending U.S. Application No. 10/658,736, filed 9/9/03, titled Methods and apparatuses for treating the spine through an access device, and assigned to the assignee of this application.
	26	Co-pending U.S. Application No. 09/772,605, filed 1/30/01, titled Method for performing a surgical procedure and a cannula for use in performing the surgical procedure, and assigned to the assignee of this application.
	27	Amendment to U.S. Application No. 09/772,605, filed 1/30/01, Office Action dated 10/31/03, Response to Office Action filed 2/2/04.

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021204

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*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	